REMARKS

Applicant respectfully requests favorable reconsideration of this application, as amended.

Applicant respectfully draws the Examiner's attention to the Second Supplemental Information Disclosure Statement, filed on January 15, 2003, and requests that the Examiner consider each reference cited therein, initial and return the Form PTO-1449 to Applicant's representative.[1]

Claim 18 was inadvertently omitted from both the clean and marked-up copies of the claims in the Preliminary Amendment filed on September 12, 2001. However, Claim 18 was not canceled, either in the claim listings or in the Remarks. Applicant respectfully requests that Claim 18 be examined on the merits in the next Office Action.[2]

Claims 1–17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Shou et al. (USP 5,910,948) in view of Lomp (USP 5,991,332). Claim 9 has been canceled without prejudice. Without acceding to the rejections under § 103, Claims 1–5, 7, 8, 10, 11, 14, 16 and 17 have been amended to more clearly recite certain features of the invention.

Claims 1 and 8 are directed to mobile communications terminals. Claim 1 recites, *inter alia*, a control unit controlling a cell search process and stopping signal processing of the cell search in response to detection of an invalid frame timing, code group or code, while Claim 8 recites, *inter alia*, a control unit stopping the decode processing if the frame timing, code group or code in the search range is invalid. Claim 10 is directed to a communication method and recites, *inter alia*, controlling a cell search process and stopping signal processing of the cell search if the frame timing, code group or code is invalid. Applicant respectfully submits that none of the cited references, taken either singly or in combination, teaches or suggests these features.

Shou is directed to a direct sequence (DS) code divisional multiple access (CDMA) cellular communications system and discloses a cell search method using spread code sequences having a long code peculiar to each cell and a short code corresponding to each communications channel. *See*, e.g., Col. 3, lines 10–40. Applicant submits that Shou fails to

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[1] The Second Supplemental IDS, Form PTO-1449 and both foreign patent references are part of the IFW for this application.

[2] Claim 18 is included in the claim listing beginning on Page 2 of this Response.

teach or suggest the aforementioned features recited by Claims 1, 8 and 10. The Examiner agrees but alleges that Lomp discloses these features.[3] Applicant submits that Lomp fails to teach or suggest these features as well.

Lomp discloses a CDMA modem including a receiver section having pilot code acquisition and tracking logic. The receiver section initially acquires the pilot signal by sliding a locally-generated pilot code sequence relative to the received signal and comparing the output signal of the despreader to a match threshold and a dismiss threshold.[4] The pilot signal is acquired when the despreader output signal is greater than the acceptance threshold. The search process is then stopped and tracking begins. However, if the despreader output signal is less than the dismissal threshold, the search process continues with the next code phase. *See*, e.g., Col. 34, line 63 to Col. 35 lines 51; Col. 30, line 57 to Col. 31, line 4; FIGS. 11 and 15.

Thus, Lomp discloses that his search process stops with the successful match of a valid pilot signal, and fails to teach or suggest stopping signal processing of the cell search if the frame timing, code group or code is invalid, as recited by Claims 1, 8 and 10. Furthermore, none of the cited references, taken either singly or in combination, teaches or suggests these features.

Accordingly, Claims 1, 8 and 10 are allowable over the cited references. Claims 2–7, 9, and 11–16, depending from Claims 1, 8 and 10, respectively, are also allowable, at least for the reasons discussed above.

Claim 17 is directed to a communications method and recites, *inter alia*, detecting a plurality of paths within each slot, and for each of the plurality of paths, deleting multipath of the spread codes already detected within a predetermined time period. Both Shou and Lomp fail to disclose these features. Furthermore, Applicant respectfully submits that none of the cited references, taken either singly or in combination, teaches or suggests these features.

Accordingly, Claim 17 is allowable over the cited references. Claim 18, depending from Claim 17 is also allowable, at least for the reasons discussed above.

Applicant respectfully requests that this application now be passed to issue, and a Notice of Allowance is respectfully solicited.

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[3] *See*, Office Action at Paragraph 2, Page 2, lines 10–13; Page 3, lines 3–5.

[4] The predetermined constants "ACCEPTANCE_THRESHOLD" and "DISMISSAL_THRESHOLD" Col. 35, lines 44–45.

If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

The Commissioner is hereby authorized to charge any fees and to credit any overpayments that may be required by this paper under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 02-2135.

Respectfully submitted,

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By: _____

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